

252. *Prohibition of structures or fixtures which cause obstruction in streets.*—

(1) No person shall, except with the permission of the Chief Executive Officer, erect or set up any wall, fence, nail, post, step, booth or other structure whether fixed or movable or whether of a permanent or temporary nature, or any fixture in or upon any street so as to form an obstruction to, or an encroachment upon, or a projection over, or to occupy any portion of such street, channel, drain, well or tank.

(2) The Chief Executive Officer may, by notice in writing, require the owner or occupier of any such building to alter or remove any such projection or encroachment as aforesaid:

Provided that, in the case of any projection or encroachment lawfully in existence at the commencement of this Act, the Chief Executive Officer shall make compensation for any damage caused by the removal or alteration.

(3) The Chief Executive Officer may, by order in writing, give permission to the owners or occupiers of buildings in any particular street to put up open verandahs, balconies or rooms projecting from any upper storey thereof to an extent beyond the line of the plinth or basement wall at such height from the level ground or street as may be specified in the order.

253. *Unauthorised buildings over drains, etc.*—The Chief Executive Officer may, by notice in writing, require any person who has, without his permission in writing, newly erected or re-erected any structure over any public sewer, drain, culvert, water course or water-pipe in the cantonment to pull down or otherwise deal with the same as he thinks fit.

254. *Drainage and sewer connections.*—(1) The Chief Executive Officer may, by notice in writing, require the owner or lessee of any building or land in any street, at his own expense and in such manner as he thinks fit, to put up and keep in good condition, proper troughs and pipes for receiving and carrying rain water from the building or land and for discharging the same or to establish and maintain any other connection or communication between such buildings or land and a drain or sewer or a water harvesting structure or facility.

(2) For the purpose of efficiently draining any building or land in the cantonment, the Chief Executive Officer may, by notice in writing, require the owner or lessee of the building or land—

(a) to pave, with such materials and in such manner as he thinks fit, any courtyard, alley or passage between two or more buildings; or

(b) to keep any such paving in proper repair; or

(c) to make such arrangements as may be specified by the Board under byc-laws to deliver rain water from roof top to the water harvesting facility created or arranged by the Board.

255. *Power to attach brackets for lamps and other accessories.*—The Chief Executive Officer may attach to the outside of any building, or to any tree in the cantonment, brackets for lamps or any accessories for non-conventional sources of energy in such manner as not to occasion injury thereto or inconvenience.

256. *Maintenance of Roads.*—(1) All roads in the civil area of a cantonment shall be maintained by the Board.

(2) All roads outside the civil area as have been vested in the Board shall also be maintained by the Board.

Streets

257. *Temporary occupation of street, land, etc.*—(1) The Chief Executive Officer may, by order in writing, permit the temporary occupation of any street, or of any land vested in the Board, for the purpose of depositing any building materials or making any temporary excavation therein or erection thereon, subject to such conditions as the Board may prescribe for the safety or convenience of the public, and may charge a fee for such permission and may in his discretion withdraw such permission.

(2) Where any article or thing is placed on any street or land under the management of the Board or the Defence Estates Officer so as to form an obstruction thereto or any encroachment thereon, the Chief Executive Officer or, as the case may be, the Defence Estates Officer, may cause such article or things to be removed and recover from the person who placed such article or thing the expenses incurred in that behalf in the same manner as moneys recoverable by the Board under section 324 and may also, if such person fails to offer satisfactory explanation, order the confiscation of such article or thing.

258. *Closing and opening of streets.*—(1) A Board may open any street for public use.

(2) A Board shall not permanently close any street without the prior permission of the General Officer Commanding in Chief, or the Principal Director.

Provided that no such street shall be closed for reasons other than the security reasons and without giving a public notice inviting objections and suggestions from the general public.

(3) The Chief Executive Officer may, by public notice, temporarily close any street or any part of a street for repair or for the purpose of carrying out any work connected with drainage, water-supply or lighting or any other work which he is by or under this Act required or permitted to carry out:

Provided that where, owing to any works or repairs or from any other cause the condition of any street or of any water-works, drain, culvert or premises vested in the Board, is such as to be likely to cause danger to the public, the board shall—

(a) take all reasonable means for the protection of the adjacent buildings and land and provide reasonable means of access thereto;

(b) cause sufficient barriers or fences to be erected for the security of life and property, and cause such barriers or fences to be sufficiently lighted from sunset to sunrise.

259. *Names of streets and numbers of buildings.*—(1) A Board may determine the name or number by which any area, street or public place in the cantonment shall be known and may cause name or number to be affixed on any building in the cantonment in such place as it thinks fit and may also cause a number to be affixed to any such building.

(2) Whoever destroys, pulls down defaces or alters any such name or number or puts up any name or number differing from that put up by the order of the Board shall be punishable with fine which may extend to one thousand rupees.

(3) When a name or number has been affixed to any building under sub-section (1), the owner of the building shall maintain the name or number in order, and shall replace it if removed or defaced, and if he fails to do so the Chief Executive Officer may by notice in writing require him to replace it.

260. *Group Housing Schemes.*—A Board, may in accordance with the bye-laws framed for the purpose, allow the Group Housing Schemes for construction of houses.

261. *Boundary walls, hedges and fences.*—(1) No boundary wall, hedge or fence of any material or description shall be erected in a cantonment without the permission in writing of the Chief Executive Officer.

(2) The Chief Executive Officer may, by notice in writing, require the owner or lessee of any land in the cantonment—

(a) to remove from the land any boundary wall, hedge or fence which is in his opinion unsuitable, unsightly or otherwise objectionable; or

(b) to construct on the land sufficient boundary walls, hedges or fences of such material, description or dimensions as may be specified in the notice; or

(c) to maintain the boundary walls, hedges or fences of such lands in good order:

Provided that in the case of any such boundary wall, hedge or fence which was erected with the consent or under the orders of the Chief Executive Officer or which was in existence at the commencement of this Act, the Board shall make compensation for any damage caused by the removal thereof.

(3) The Chief Executive Officer may, by notice in writing, require the owner, lessee or occupier of any such land to cut or trim any hedge on the land in such manner and within such time as may be specified in the notice.

262. *Felling, lopping and trimming of trees.*—(1) Where, in the opinion of a Board, the felling of any tree of mature growth standing in a private enclosure in the cantonment is necessary for any reason, the Board may, by notice in writing, require the owner, lessee or occupier of the land to fell the tree within such time as may be specified in the notice.

(2) A Board may—

(a) cause to be lopped or trimmed any tree standing on land in the cantonment which belongs to the Government; or

(b) by public notice require all owners, lessees or occupiers of land in the cantonment, or by notice in writing require the owner, lessee or occupier of any such land, to lop or trim, in such manner as may be specified in the notice, all or any trees standing on such land or to remove any dead trees from such land.

263. *Digging of public land.*—Whoever, without the permission in writing of the Chief Executive Officer, digs up the surface of any open space in the cantonment, which is not private property, shall be punishable with fine which may extend to two thousand five hundred rupees and in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence continues.

264. *Improper use of land.*—(1) If in the opinion of the Chief Executive Officer, the working of a quarry in the cantonment, or the removal of stone, earth or other material from the soil in any place in the cantonment, is dangerous to persons residing in or frequenting the neighbourhood or such quarry or place, or creates, or is likely to create, a nuisance, the Chief Executive Officer may, by notice in writing, prohibit the owner, lessee or occupier of such quarry or place or the person reasonable for such working or removal, from continuing or permitting the working of such quarry or the moving of such material, or require him to take such steps in the matter as he may direct for the purpose of preventing danger or abating the nuisance arising or likely to arise therefrom.

(2) If, in any case referred to in sub-section (1), the Chief Executive Officer is of opinion that such a course is necessary in order to prevent imminent danger, he may, by order in writing, require a proper hoarding or fence to be put up for the protection of passers-by.

CHAPTER XI

MARKETS, SLAUGHTER-HOUSES, TRADES AND OCCUPATIONS.

265. *Public markets and slaughter-houses.*—(1) A Board may provide and maintain, on the land under its control, public markets and public slaughter-houses, to such number as it thinks fit, together with stalls, shops, sheds, pens and other buildings or conveniences for the use of persons carrying on trade or business in or frequenting such markets or slaughter-houses, and may provide and maintain in any such market buildings, places, machines, weights, scales and measures for the weighment or measurement of goods sold therein.

(2) When such market or slaughter house is situated beyond cantonment limits, the Board shall have the same power for the inspection and proper regulation of the same as if it were situated within those limits.

(3) The Board may at any time, by public notice, close any public market or public slaughter-house or any part thereof.

(4) Nothing in this section shall be deemed to authorise the establishment of a public market or public slaughter-house within the limits of any area administered by any local authority other than the Board, without the permission of such local authority or otherwise than on such conditions as such local authority may approve.

266. *Use of public market.*—(1) No person shall, without the general or special permission in writing of the Chief Executive Officer, sell or expose for sale any animal or article in any public market.

(2) Any person contravening the provisions of this section, and any animal or article exposed for sale by such person, may be summarily removed from the market by or under the orders of the Chief Executive Officer, or any official of the Board authorised by him in this behalf.

267. *Power to transfer by publication, etc.*—(1) The Board may transfer by public auction, for any period not exceeding five years at a time, the right to occupy or use any stall, shop, standing, shed or pen in a public market, or public slaughter-house or the right to expose goods for sale in a public market or the right to weigh or measure goods sold therein, or the right to slaughter animals in any public slaughter-house:

Provided that where the board is of opinion that such transfer of the aforesaid rights by public auction is not considered desirable or expedient, it may, with the previous sanction of the General Officer Commanding-in-Chief, the Command or in his absence, the Principal Director,—

(a) either levy such stallages, rents or fees as it thinks fit; or

(b) farm the stallages, rents and fees leviable under clause (a) for any period not exceeding one year at a time:

Provided further that the enjoyment of any such aforesaid right by any person for any length of time shall never be deemed to create or confer any tenancy right in such stall, shop, standing, shed, pen, public market or public slaughter-house.

(2) The Board may transfer by public auction or otherwise any immovable property other than in a public market or a public slaughter house if such property is capable of being put to remunerative use for such period and on such terms and conditions as may be approved by the General Officer Commanding-in-Chief, the Command or in his absence, the Principal Director.

268. *Stallages, rents, etc., to be published.*—A copy of the table of stallages, rents and fees, if any, leviable in any public market or public slaughter-house, and of the bye-laws made under this Act for the purpose of regulating the use of such market or slaughter-house, printed in English language or in such other language or languages as the board may direct, shall be affixed in some conspicuous place in the market or slaughter-house.

269. *Private markets and slaughter-houses.*—(1) No place in a cantonment other than a public market shall be used as a market, and no place in a cantonment other than a public slaughter-house shall be used as a slaughter-house, unless such place has been licensed as a market or slaughter-house, as the case may be, by the Board:

Provided that nothing in this sub-section shall apply in the case of a slaughter-house established and maintained by the Central Government or the State Government, as the case may be.

(2) Nothing in sub-section (1) shall be deemed—

(a) to restrict the slauhgter of any animal in any place on the occasion of any festival or ceremony, subject to such conditions as to prior or subsequent notice as the Chief Executive Officer with the previous sanction of the District Magistrate may, by public or special notice, impose in this behalf, or

(b) to prevent the Chief Executive Officer, with the sanction of the Board, from setting apart places for the slaughter of animals in accordance with religious custom.

(3) Whoever omits to comply with any condition imposed by the Chief Executive Officer under clause (a) of sub-section (2) shall be punishable with fine which may extend to five thousand rupees and, in the case of continuing offence, with an additional fine which may extend to one thousand rupees for every day after the first during which the offence is continued.

270. *Conditions of grant of licence for private market or slaughter-house*—

(1) A Board may charge such fees as it thinks fit to impose for the grant of a licence to any person to open a private market or private slaughter-house in the cantonment and may grant such licence subject to such conditions, consistent with this Act and any bye-laws made thereunder, as it thinks fit to impose.

(2) The board may refuse to grant any such licence without giving reasons for such refusal.

271. *Penalty for keeping market or slaughter-house open without licence, etc.*—(1) Any person who keeps open for public use any market or slaughter-house in respect of which a licence is required by or under this Act, without obtaining licence therefor, or while the licence therefor is suspended, or after the same has been cancelled, shall be punishable with fine which may extend to five thousand rupees and, in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence is continued.

(2) When a licence to open a private market or private slaughter-house is granted or refused or is suspended or cancelled, the Board shall cause a notice of the grant, refusal, suspension or cancellation to be pasted in English or such language or languages as it thinks necessary in some conspicuous place by or near the entrance to the place to which the notice relates.

272. *Penalty for using unlicensed market or slaughter-house*.— Whoever, knowing that any market or slaughter-house has been opened to the public without a licence having been obtained therefor when such licence is required by or under this Act, or that the licence granted therefor is for the time being suspended or that it has been cancelled, sells or exposes for sale any article in such market, or slaughters any animal in such slaughter house, shall be punishable with fine which may extend to five thousand rupees and, in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence is continued.

273. *Prohibition and restriction of use of slaughter-house*.— (1) Where, in the opinion of the Chief Executive Officer, it is necessary on sanitary grounds so to do, he may, by public notice, prohibit for such period not exceeding one month, as may be specified in the notice, or for such further period not exceeding one month, as he may specify by a like notice, the use of any private slaughter-house specified in the notice, or the slaughter therein of any animal of any description so specified.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously pasted in the slaughter-house to which it relates.

274. *Power to inspect slaughter-houses.*—(1) Any official of a Board, authorised by order in writing in this behalf by the Chief Executive Officer or the Health Officer, may, if he has reason to believe that any animal has been, is being or is about to be slaughtered in any place in contravention of the provisions of this Chapter, enter into and inspect any such place at any time, whether by day or by night.

(2) Every such order shall specify the place to be entered and the locality in which the same is situated and the period, which shall not exceed seven days for which the order is to remain in force.

275. *Power to regulate certain activities.*—A Board may, by order, regulate all or any of the following matters, namely:—

(a) the days on, and the hours during, which any private market or private slaughter-house may be kept open for use;

(b) the regulation of the design, ventilation and drainage of such market or slaughter-houses, and the material to be used in the construction thereof;

(c) the keeping of such markets and slaughter-houses and lands and buildings appertaining thereto in a clean and sanitary condition, the removal of filth and refuse therefrom, and the supply therein of pure water and of a sufficient number of latrines and urinals for the use of persons using or frequenting the same;

(d) the manner in which animals shall be stalled at a slaughter-house;

(e) the manner in which animals may be slaughtered;

(f) the disposal or destruction of animals offered for slaughter which are, from disease or any other cause, unfit for human consumption;

(g) the description of carcases which from disease or any other cause are found after slaughter to be unfit for human consumption; and

(h) any other matter with respect to the regulation of such markets and slaughter-houses.

Trades and occupations

276. *Provision of washing places.*—(1) A Board may provide suitable places for the exercise by washermen of their calling, and may require payment of such fees for the use thereof as it thinks fit.

(2) Where the Board has provided such places as aforesaid it may, by public notice, prohibit the washing of clothes by washermen at any other place in the cantonment:

Provided that such prohibition shall not be deemed to apply to the washing by a washerman of his own clothes or of the clothes of any other person who is an occupier of the place at which they are washed.

(3) Whoever contravenes any prohibition contained in a notice issued under sub-section (2) shall be punishable with fine which may extend to five hundred rupees.

277. *Licences, required for carrying on of certain occupations.*—(1) No person of any of the following classes, namely:—

- (a) butchers and vendors of poultry, game or fish;
- (b) persons keeping pigs for profit, and dealers in the flesh of pigs which have been slaughtered within or without cantonment;
- (c) persons keeping milch cattle or milch goats for profit;
- (d) persons keeping for profit any animals other than pigs, milch cattle or milch goats;
- (e) dairymen, buttermen and makers and vendors of ghee;
- (f) makers of bread, biscuits or cake and vendors of bread, biscuits or cake made within or without cantonment;
- (g) vendors of fruits or vegetables;
- (h) manufacturers of aerated or other potable waters or of ice or ice-cream, and vendors of the same;
- (i) vendors of any medicines, drugs or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable waters or ice or ice-cream) which are of a perishable nature;
- (j) vendors of spirituous liquor;
- (k) vendors of water to be used for drinking purposes;
- (l) washermen;
- (m) dealers in hay, straw, wood, charcoal or other inflammable material;
- (n) dealers in fire-works, kerosene oil, petroleum or any other inflammable oil or spirit;
- (o) tanners and dyers;
- (p) persons carrying on any trade or occupation from which offensive or unwholesome smells arise;
- (q) vendors of wheat, rice and other grain or of flour;

(r) makers and vendors of sugar or sweetmeats;

(s) barbers and keepers of shaving saloons;

(t) any other person carrying on such other trade, calling or occupation as the Central Government may, by notification in the Official Gazette, specify in this behalf,

shall carry on his trade, calling or occupation in any part of a cantonment unless he has applied for and obtained a licence in this behalf from the Board.

(2) A licence granted under sub-section (1) shall be valid until the end of the year in which it is issued and the grant of such licence shall not be withheld by the Board unless it has reason to believe that the business which it is intended to establish or maintain would be offensive or dangerous to the public or that the premises in which the business is intended to be established or maintained are unfit or unsuitable for the purpose.

(3) Notwithstanding anything contained in sub-section (1),—

(a) no person who was, at the commencement of this Act, carrying on his trade, calling or occupation in any part of a cantonment shall be bound to apply for a licence for carrying on such trade or occupation in that part until he has received from the Board not less than three month's notice in writing of his obligation to do so, and if the Board refuses to grant him a licence, it shall pay compensation for any loss incurred by reason of such refusal;

(b) no person shall be required to take out a licence for the sale or storage of petroleum or for the sale or possession for sale of poisons or white arsenic in any case in which he is required to take out a licence for such sale, storage, or possession for sale by or under the Petroleum Act, 1934 (30 of 1934), or the Poisons Act, 1919 (12 of 1919).

(4) The Board may charge for the grant of licences, under this section such reasonable fees, as it may fix keeping in view the fees levied in this regard in a municipality in the State wherein such cantonment is situated.

278. Power to stop use of premises used in contravention of licences.—If the Chief Executive Officer is of opinion that any eating house, lodging house, hotel, boarding house, tea shop, coffee house, cafe, restaurant, refreshment room or other place where public is admitted for repose or for consumption of any food or drink or where food is sold or prepared for sale or any theatre, cinema hall, circus, dancing hall or similar other place of public resort, recreation or amusement is kept open without a license or otherwise than in conformity with the terms of a license granted in respect thereof, he may stop the use of any such premises for any such purpose for a specified period by such means as he may consider necessary.